

# Court of Appeals, State of Michigan

## ORDER

Kelly Wauer v Kaher Abdelsalam

Docket No. 268517

LC No. 03-351055-DS

Karen M. Fort Hood  
Presiding Judge

Helene N. White

Michael J. Talbot  
Judges

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The Court orders, pursuant to MCR 7.205(D)(2), that the trial court's September 1, 2005 order directing the child to attend school in the Allen Park School District is VACATED. School placement is an important decision, and disputes involving such a decision should be resolved by considering the "best interests of the child" factors set forth in MCL 722.23. See *Lombardo v Lombardo*, 202 Mich App 151; 507 NW2d 788 (1993). In this case, the trial court cited *Lombardo* and stated that the best interests of the child were controlling, but never specifically addressed the factors set forth in MCL 722.23. As a result, the trial court's analysis was incomplete. *Lombardo, supra* at 160.

This case is REMANDED to the trial court for further proceedings consistent with this order. In making the decision as to which school the child shall attend, the trial court must consider, evaluate, and determine, each of the best interest factors set forth in MCL 722.23. We do not retain jurisdiction.

This order shall have immediate effect. MCR 7.215(F)(2).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 13 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk